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# **OPNAV N45 Environmental Readiness Environmental Restoration & BRAC Programs Program Objective Memorandum FYDP 20-24 Washington Perspective**

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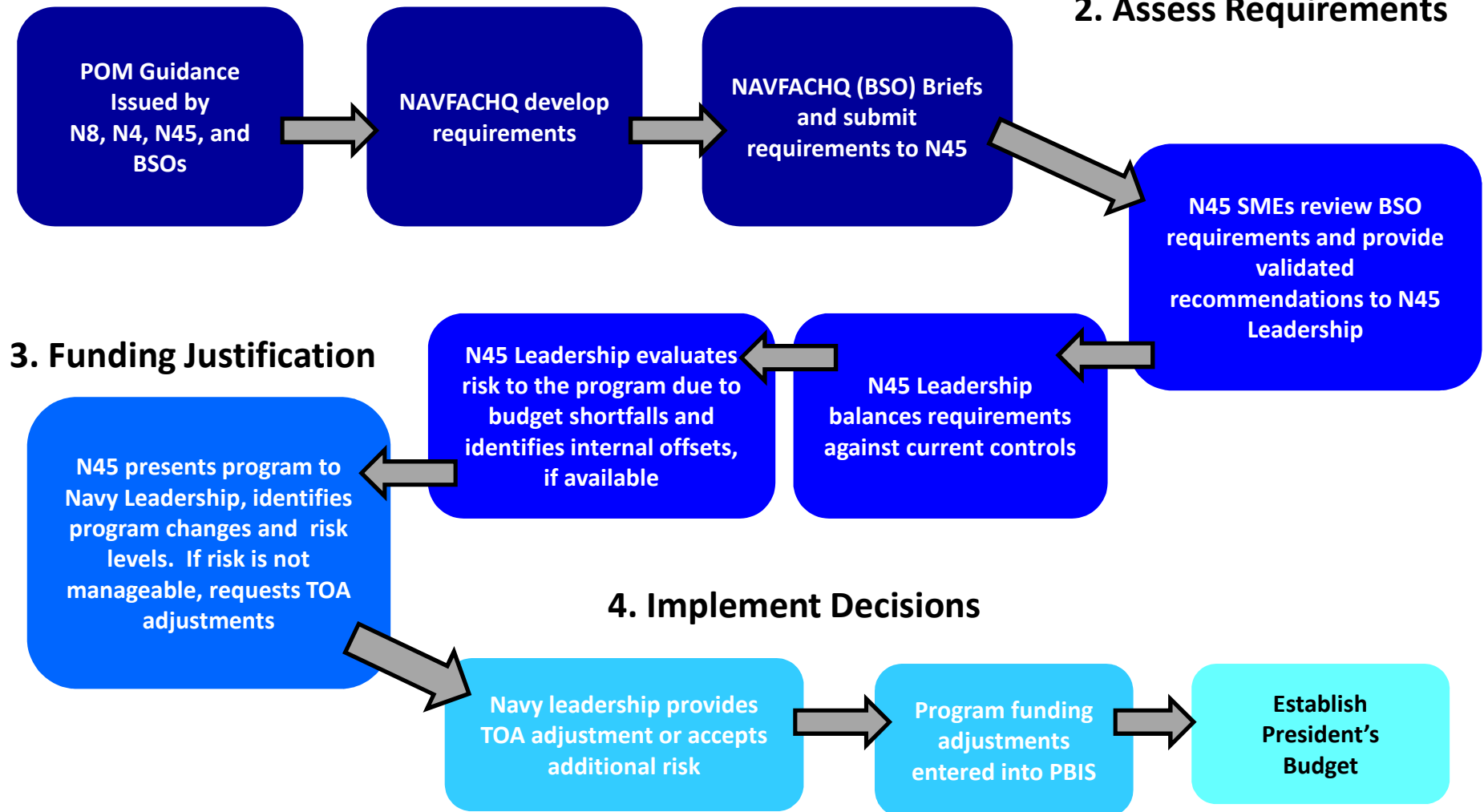
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# OPNAV N45's POM ER,N & BRAC Process

## 1. Gathering Requirements

## 2. Assess Requirements





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# Environmental Restoration Program

## POM-19 Submission Overview

\$K	FY18	FY19	FY20	FY21	FY22	FY23	FYDP	Risk
BES-18 (Current Control)	\$ 280,239	\$294,574	\$295,125	\$304,809	\$298,744	\$304,719	\$ 1,497,971	RL=Y
BSO Issue #1: PFC	Accept	\$ 17,000	\$ 17,000	\$ 17,000	\$ 17,000	\$ 17,000	\$ 85,000	RL=R
BSO Issue #2: Fallon Off-Range UXO WRPT	Partially Accept	\$ 9,000	\$ 9,000	\$ 9,000	\$ 9,000	\$ 9,000	\$ 45,000	RL=R
BSO Issue #3: SEFC	Accept	\$ 2,000	\$ 2,000	\$ -	\$ -	\$ -	\$ 4,000	RL=R
POM-19 BSO Submission Total		\$322,574	\$323,125	\$330,809	\$324,744	\$330,719	\$1,631,971	RL=R
PFCs		\$ 17,000	\$ 17,000	\$ 17,000	\$ 17,000	\$ 17,000	\$ 85,000	RL=R
Fallon Off-Range UXO WRPT		\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 25,000	RL=R
SEFC		\$ 2,000	\$ 2,000	\$ -	\$ -	\$ -	\$ 4,000	RL=R
POM-19 SME Validated Requirement		\$318,574	\$319,125	\$326,809	\$320,744	\$326,719	\$1,611,971	RL=R
<b>Delta (Control - Validated Requirement)</b>		\$ (24,000)	\$ (24,000)	\$ (22,000)	\$ (22,000)	\$ (22,000)	\$ (114,000)	RL=R

- Three new requirements for POM-19 SPP Recommendation (At the time---Dec 2016)
  - Two new extremely low levels PFC health advisory promulgated by EPA that have and may affect drinking water supplies. Office base community properties have be impacted.
  - Newly determined (FY16) that UXO impacts to WRPT lands are ER,N eligible. Several discussions in FY16 (DASN, CNO, NAVFAC, Fallon staffs) to determine eligibility. Congressional interest. Have not done anything is we provided report to Congress in 2004.
  - CNO directed SEFC to address AFTP NAVSEA vulnerabilities. Property being acquired is contaminated. Admiral Cariello is fully aware of requirement.

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# POM-20 BSO Requirement

<u>\$K</u>	<u>FY19</u>	<u>FY20</u>	<u>FY21</u>	<u>FY22</u>	<u>FY23</u>	<u>FY24</u>	<u>FYDP</u>
Current Control (BES-19 PBIS)	301,482	301,759	311,599	305,535	311,547	317,778	1,548,218
BSO POM-20 Requirement		321,759	326,599	320,535	316,547	317,778	1,603,218
<b>Delta (Control - Requirement)</b>		<b>(20,000)</b>	<b>(15,000)</b>	<b>(15,000)</b>	<b>(5,000)</b>	<b>0</b>	<b>(55,000)</b>

- ER,N Program goal is to protect our sailors and marines, their families, and surrounding communities and environment from legacy waste disposal operations and spills at DON activities. (Aug 2017) Subdivided into:
  - IRP, which addresses releases of chemical contaminants to the environment
  - MRP, which addresses UXO, discarded munitions and munitions constituents
- Program has experienced major cuts impacting progress and projections towards meeting OSD goals.
  - POM18 reduced ER,N budget by \$125.7M over the FYDP, largest cut in program history.
  - Continuation of cuts that have reduced ER,N funding by \$400M since FY13, just as new requirements continue to emerge (e.g. PFAS, radiological, etc).
- POM19 increased ER,N budget by \$25M over the FYDP to address limited PFAS response requirements, Southeast Federal Center environmental requirements, and NAS Fallon munitions cleanup:
  - BSO original request was for \$134M.
- Major POM20 program issues/challenges:
  - Continued effort on Navy policy to address PFAS contamination, which is an unfunded requirement. DON has identified over 329 potential PFC sites/AOCs requiring further investigation and/or remediation @95 installations.
  - Former NWIRP Bethpage Hotspot contamination
- Addressing ongoing sampling and investigation of PFAS sites is significantly impacting program progress and increasing legal, regulatory, and environmental risk.
- Projections on OSD RC goals of 90% in FY18, and 95% in FY21, stand at 84.8% and 88.9%, respectively, and will continue to slide without additional funding to address PFAS requirements. Planned work with regulators being pushed to the right.

## ***POM-20 Balanced to BES-19 (\$K)***

<u>Program Area/Issue</u>	<u>FY20</u>	<u>FY21</u>	<u>FY22</u>	<u>FY23</u>	<u>FY24</u>	<u>FYDP</u>	<u>Risk</u>
<b>Current Control (BES-19 PBIS)</b>	<b>301,759</b>	<b>311,599</b>	<b>305,535</b>	<b>311,547</b>	<b>317,778</b>	<b>1,548,218</b>	
PFAS & Bethpage Requirements	20,000	15,000	15,000	5,000		55,000	
Reprioritized Program	281,759	296,599	290,535	306,547	317,778	1,493,218	
<b>Balanced to Control</b>	<b>301,759</b>	<b>311,599</b>	<b>305,535</b>	<b>311,547</b>	<b>317,778</b>	<b>1,548,218</b>	

- After FY18, approximately 676 sites (of 4,452) expected to remain (i.e. not RC)
  - 44% of these sites are on National Priority List (NPL), 56% non-NPL but tied to other enforceable regulatory requirements
  - 50% high risk and 22% medium risk based on OSD risk ranking protocol
  - 58% with studies completed and regulatory commitment for cleanup to begin
- POM 19 controls currently defers ~493 of 676 (73%) sites beyond OSD FY 21 goal (most beyond FYDP). Of the sites being deferred beyond FY 21:
  - 46% of these sites are on National Priority List (NPL), 54% non-NPL but tied to enforceable regulatory deadlines
  - 55% high risk and 20% medium risk based on OSD risk ranking protocol
  - 79% with studies completed and regulatory commitment for cleanup to begin
  - Significant environmental, regulatory and operational risks currently assumed under BES 19. High risk already being deferred.
- POM 20 Balanced program absorbs unfunded PFAS and Bethpage requirements shown above.
  - Significant additional risk taken.



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# Environmental Restoration

## Current PB-19

\$M	FY18	FY19	FY20	FY21	FY22	FY23	FY24	Risk
PB-19 Munitions Response (Current Control)	55.1	59.8	59.8	64.7	104.5	106.5	108.7	RL=O
PB-19 Installation Restoration (Current Control)	226.4	269.5	259.3	253.8	204.0	252.3	257.3	RL=O
Potential Plus-up in FY18	42							
Validated Requirement)	323.5	329.3	319.1	318.5	308.5	358.8	366.0	RL=O
OCO Requirement								RL=O

- Potential Plus in FY18 (Present but subject to change)
  - Two values were sent forward by HAC (\$7.5M) and SAS (\$42M)
- AS of February 2018 President Budget -19
  - Being reviewed as we speak
  - Increases in each FY-19 - FY24
  - ER,N is back above \$300M per year

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## ***ER,N Multiple Risk Scenarios***

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- Two POMs (FY19 & FY20) years of date there have been approximately for the Environmental Restoration Program:
  - Increase in funding in FY19 (due to new requirements)
  - New controls BES-19 starting point for POM20
  - Potential increase in FY20 Level Program of \$300M per year
  - New requirements (PFOS, PFOA, SEFC)
  - FY16 and FY17 received plus up from Congress
  - Congress slated to provide increase funding in FY18.
  - Excursions: None (no reductions)



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**BRAC**

Updated 20 Feb 2018

## POM-20 Submission

Environmental Activity (\$K)	FY19	FY20	FY21	FY22	FY23	FY24	FYDP
<b>PB19 (PBIS Baseline)</b>	\$ 151,839	\$ 158,675	\$ 126,903	\$ 125,430	\$105,977	\$108,071	\$ 668,824
<i>BSO Submit</i>	\$ 148,100	\$ 141,900	\$ 127,700	\$ 126,200	\$ 81,800	\$ 83,400	\$ 561,000
<i>Anticipated PFOS/PFOA Cleanup</i>	\$ -	\$ 17,548	\$ 16,692	\$ 16,677	\$ 12,105	\$ 17,012	\$ 80,034
<b>Total POM20 Requirement</b>	<b>\$ 148,100</b>	<b>\$ 159,448</b>	<b>\$ 144,392</b>	<b>\$ 142,877</b>	<b>\$ 93,905</b>	<b>\$100,412</b>	<b>\$ 641,034</b>
<b>Delta</b>	<b>\$ 3,739</b>	<b>\$ (773)</b>	<b>\$ (17,489)</b>	<b>\$ (17,447)</b>	<b>\$ 12,072</b>	<b>\$ 7,659</b>	<b>\$ 27,790</b>

- As of 30 Sep 2016, the BRAC program has disposed of 178,519 acres (94%) of property from five BRAC rounds through assorted conveyance mechanisms with 11,345 acres (6%) remaining.
- Total program Cost to Complete (CTC) approx. \$1.2B
  - ~ 50% of total remaining costs are for long-term operations and monitoring.
  - Major cost drivers are low-level radiological cleanup, new regulatory requirements (i.e.; PFOS/PFOA in drinking water and vapor intrusion), munitions and groundwater cleanup.
  - Legacy programming issue of only fully funding BRAC in execution year addressed in PBR19.

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**BRAC**

**Updated 20 Feb 2018**

## ***Summary/Recommendations***

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### **Program Prioritization Strategy:**

- Maintain remedies for environmental sites (Phases 6 & 7) to protect human health and the environment
- Legally binding environmental agreements (FFA, FFSRA)
- Signed CERCLA Records of Decision (RODs)
- Signed property transfer agreements with established timelines

### **Major Strategic & Program Challenges:**

- Emergent issues funded at expense of planned projects, delaying environmental cleanup and property disposals
- Low-level radiological contamination cleanup and disposal costs and impacts to schedules
- PFAS drinking water contamination and the impacts on public and private drinking water supplies
- Many external factors (NEPA, regulatory requirements, politics, litigation, community pressure)
- Significant political interest from Congress and local communities – extensive, emotional, and high visibility

### **POM19 End Results:**

- As part of PBR19, the Navy adjusted BRAC funding to: 1) eliminate the legacy POR issue and 2) begin to proactively address emergent costs associated with PFOS/PFOA cleanup requirements.
- The PBR19 “Push Arounds” begin to address the PFOS/PFOA requirement beginning in FY23; however, the FY20-FY22 shortfall remains.

### **POM20 Way Ahead:**

- OPNAV N45 requesting remaining shortfall be addressed due to the significant annual growth associated with emerging requirements and external pressures impacting this program.
- If additional funding is not programmed, recommend the BRAC Program continue to follow the current prioritization strategy and address emergent requirements during execution year.

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# ***OPNAV 5090 Policies***

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- Chapter 31 Storage Tanks
  - See Chapter 42 ER for ER,N eligibility
- Chapter 41
  - Detail requirements of NRDA's for oil (OPA 90) spills, current hazardous spills and past hazardous spills
  - ER and CNR\_ folks shall work together
  - Active ER sites shall not enter a NRDA or NRD collaboration until the site remediation is complete.
  - See more details in Chapter 42

# ***OPNAV 5090 Policies***

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- Chapter 42 Environmental Restoration Updated
  - Updates per Active and BRAC comments
  - Funding eligibility:
    - MILCON or non-MILCON construction
    - Storage Tanks
    - Past Navy oil waste - DLA Energy wants to remove a tank outside of the planned site remediation than DLA Energy will pay for removal of contaminated soil.
  - NRI requirements
  - Emerging Contaminates
    - Sufficient standard to determine risk, example: 1,4 dioxane
    - No MCL standard to determine risk, example: PFAS
- BRAC & Non-BRAC property transfer requirements



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QUESTIONS?????

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